

203594US-6



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

Koichiro WATANABE : EXAMINER: GRIER, L.

SERIAL NO: 09/123,123 :

FILED: JULY 27, 1998 : GROUP ART UNIT: 2644

FOR: AUDIO CONTROL SIGNAL  
TRANSMISSION APPARATUS AND  
RECEPTION APPARATUS, ...

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MAY 21 2003

PROVISIONAL ELECTION OF SPECIES

Technology Center 2600

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

In response to the Election of Species requirement dated March 26, 2003, Applicant provisionally elects Species (a) of Figures 1 and 3 and identify Claims 20-25, 27 and 28 as readable on the provisionally elected species.

Applicant respectfully traverses the election requirement for the following reason.

MPEP § 803 states:

**MPEP § 803**

... If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

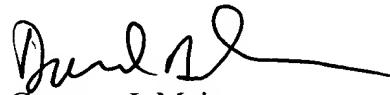
The claims of the present invention would appear to be part of an overlapping search area.

Accordingly, Applicant respectfully traverses the outstanding Election requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Accordingly, an action on all pending claims is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
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